

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA	§	
	§	
VS.	§	MAGISTRATE NO. 2:15-MJ-00463-1
	§	
JESUS MARTINEZ-CERVANTEZ	§	

MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL

A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). Detention of the defendant pending trial in this case is necessary because there is a serious risk that the defendant will not appear.

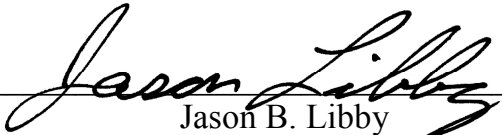
The evidence against the defendant meets the probable cause standard and is strong. The defendant was the driver of a vehicle that stopped at the Falfurrias Border Patrol Checkpoint. His two passengers were undocumented aliens and the defendant admitted to smuggling the aliens for a fee of \$2,500 per alien.

The defendant also has a prior federal conviction for smuggling aliens and a history of having his supervision revoked for substance abuse and new law violations. The defendant was released from federal supervision on November 14, 2014 and was then arrested for transporting undocumented aliens on February 4, 2015. That case was apparently not prosecuted, however, the defendant was again arrested in the instant case for another human trafficking offense. The defendant has shown the inability or unwillingness to comply with court ordered supervision. Further, the defendant has a history of substance abuse. The defendant is a poor candidate for bond.

The findings and conclusions contained in the Pretrial Services Report are adopted.

The defendant is committed to the custody of the United States Marshal or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 23rd day of April, 2015.


Jason B. Libby
United States Magistrate Judge